

PRODUCT: 3 1-gallon bottles and 17 cartons, each carton containing 1 1-ounce bottle, of *Ipsab Gum Massage* at New York, N. Y., in possession of Ipsab Distributors.

RESULTS OF INVESTIGATION: The article in the cartons was repackaged and labeled by the consignee after it had been originally shipped in gallon bottles as described above. A circular entitled "Your Mouth" was included in each 1-ounce carton. The consignee also had on hand an additional number of the circulars and a number of bottle and carton labels.

LABEL, IN PART: (Carton) "Original Formula Ipsab gum massage * * *
Ingredients: Atomic Iodine, Calcium Chloride, Sodium Chloride, Prickly Ash Bark, Essence of Peppermint."

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article in the bottles and in the cartons contained false and misleading statements. The statements represented and suggested that the article was an adequate and effective treatment for sore, tender, bleeding, and spongy gums, gingivitis, pyorrhea, ulcerations of the mouth, gum boils, canker sores, loose teeth, and receding gums, and that it would increase circulation, strengthen tissues, and keep gums in healthy condition. The article was not an adequate and effective treatment for such conditions, and it was not capable of fulfilling the promises of benefit stated and implied. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: January 18, 1951. Default decree of condemnation and destruction.

3356. Misbranding of hair and scalp oil. U. S. v. 24 Dozen Jars, etc. (F. D. C. No. 30455. Sample No. 85101-K.)

LIBEL FILED: December 28, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about July 24, 1950, from Camden, N. J.

PRODUCT: 24 dozen 1½ ounce jars of *hair and scalp oil* at Cincinnati, Ohio, in the possession of the Avenue Beauty Shoppe, together with a number of labels reading "Gro-Aid Hair and Scalp Oil 1½ ounces Distributors Parrish Products Company, 608 W. Fifth Street, Cincinnati 3, Ohio." A portion of the jars were labeled with the above label.

RESULTS OF INVESTIGATION: This product was shipped unlabeled, but a portion was labeled by the consignee, the Avenue Beauty Shoppe, after shipment. Analysis showed that the product consisted essentially of petrolatum and methyl salicylate.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label designation "Gro-Aid Hair and Scalp Oil" was false and misleading since the article would not be effective in promoting the growth of hair. The product was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: January 29, 1951. The Avenue Beauty Shoppe, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Food and Drug Administration.